

08-58
ORDINANCE NO. _____

ORDINANCE APPROVING A FINAL PLAT OF AMANDA PALMS SUBDIVISION. PROPERTY LOCATED AT 6365-6445 WEST 24 AVENUE, HIALEAH, FLORIDA. ACCEPTING ALL DEDICATION OF AVENUES OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of May 14, 2008 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The final plat of Amanda Palms, submitted jointly by Hilton Estates of Hialeah IV, Inc., a Florida corporation, by and through its President, Tomas Betancourt, and Amanda Palms, LLC, a Florida limited liability company, by and through its Managing Member, Pedro Carillo, is hereby accepted. Property located at 6365-6445 West 24 Street, Hialeah, Miami-Dade County, Florida, zoned R-3-5 (Multi-Family District) and classified under the Future Land Use Map as High Density Residential, and legally described as follows:

THE SOUTH ½ OF TRACT 16 IN THE NE ¼ OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF CHAMBERS LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LESS THE WEST 35 FEET THEREOF FOR ROAD RIGHT-OF-WAY. SAID WEST 25 FEET BEING THE SAME AS THE WEST 35 FEET OF THE NE ¼ OF SAID SECTION 34 LYING WITHIN THE NORTH AND SOUTH BOUNDARY LINES OF THIS PARCEL AND ITS WESTERLY EXTENSION.

AND

THE NORTH ½ OF TRACT 17 IN THE NE ¼ OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF CHAMBERS LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LESS THE WEST 35 FEET THEREOF FOR ROAD RIGHT-OF-WAY. SAID WEST 25 FEET BEING THE SAME AS THE WEST 35 FEET OF THE NE ¼ OF SAID SECTION 34 LYING WITHIN THE NORTH AND SOUTH BOUNDARY LINES OF THIS PARCEL AND ITS WESTERLY EXTENSION.

Section 2: All dedication of avenues or other public ways together with all existing and future plantings of trees and shrubbery are hereby accepted.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.


Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, upon signature of the Mayor of the City of Hialeah or at the next regularly

scheduled City Council meeting if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

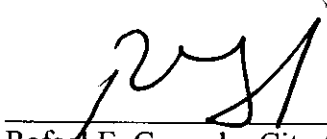
PASSED and ADOPTED this 10th day of June, 2008.

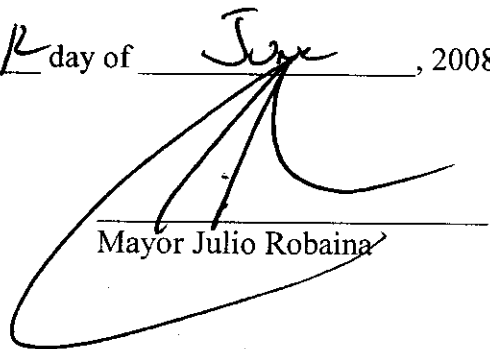
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Carlos Hernandez
Council Vice President

Attest:

Approved on this 12 day of July, 2008.


Rafael E. Granado, City Clerk


Mayor Julio Robaina

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney

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Ordinance was adopted by a 6-0-1 vote with Councilmembers Caragol, Casals-Muñoz, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes" and Councilmember Bovo absent.

This is corrected Ordinance 08-58. A scrivener's error was reported at the City Council meeting of June 24, 2008.